

SECTION 17. (a) Except as provided by Subsection (e), Article 102.056, Code of Criminal Procedure, as amended by this Act, Section 420.007, Government Code, and Subsection (d), Section 15 of this Act, state funds may not be appropriated for the purpose of implementing this Act.

(b) Notwithstanding any other law, the Department of Public Safety of the State of Texas may not use legislative appropriations to discharge any additional duties imposed by this Act on the department.

SECTION 18. This Act takes effect September 1, 2011.

Passed the Senate on May 5, 2011: Yeas 31, Nays 0; the Senate concurred in House amendment on May 27, 2011: Yeas 31, Nays 0; passed the House, with amendment, on May 23, 2011: Yeas 142, Nays 0, one present not voting.

Approved June 17, 2011.

Effective September 1, 2011.

CHAPTER 1106

S.B. No. 1649

AN ACT

relating to a grant program to support the prosecution of certain crimes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 772, Government Code, is amended by adding Section 772.0071 to read as follows:

Sec. 772.0071. **PROSECUTION OF BORDER CRIME GRANT PROGRAM.** (a) *In this section:*

(1) *“Border crime” means any crime that occurs in the border region and that undermines public safety or security, including an offense:*

(A) *during the prosecution of which an affirmative finding may be requested under Section 3g(a)(2), Article 42.12, Code of Criminal Procedure;*

(B) *under Chapter 19, 20, 20A, 46, or 71, Penal Code;*

(C) *under Title 7 or 8, Penal Code;*

(D) *under Chapter 481, Health and Safety Code;*

(E) *committed by a person who is not a citizen or national of the United States and is not lawfully present in the United States; or*

(F) *that is coordinated with or related to activities or crimes that occur or are committed in the United Mexican States.*

(2) *“Border region” means the portion of this state that is located in a county that is adjacent to:*

(A) *an international border; or*

(B) *a county described by Paragraph (A).*

(3) *“Criminal justice division” means the criminal justice division established under Section 772.006.*

(4) *“Eligible prosecuting attorney” means an attorney in a border region who represents the state in the prosecution of felonies.*

(b) *The criminal justice division shall establish and administer a grant program through which an eligible prosecuting attorney or the attorney’s office may apply for a grant to support the prosecution of border crime in a county or counties under the jurisdiction of the attorney.*

(c) *The criminal justice division shall establish:*

(1) *additional eligibility criteria for grant applicants;*

- (2) *grant application procedures;*
- (3) *guidelines relating to grant amounts;*
- (4) *procedures for evaluating grant applications; and*
- (5) *procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.*
- (d) *Undedicated and unobligated funds in the operators and chauffeurs license account may be appropriated only to the criminal justice division for the purpose of awarding grants under this section. The account is exempt from the application of Section 403.095.*
- (e) *The criminal justice division shall include in the biennial report required by Section 772.006(a)(9) a detailed reporting of the results and performance of the grant program administered under this section.*

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

Passed the Senate on May 4, 2011: Yeas 31, Nays 0; the Senate concurred in House amendment on May 27, 2011: Yeas 31, Nays 0; passed the House, with amendment, on May 23, 2011: Yeas 142, Nays 0, one present not voting.

Approved June 17, 2011.

Effective June 17, 2011.

CHAPTER 1107

S.B. No. 1686

AN ACT

relating to group health benefits coverage for persons wrongfully imprisoned.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 103.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 103.001. CLAIMANTS ENTITLED TO COMPENSATION AND HEALTH BENEFITS COVERAGE.

SECTION 2. Section 103.001, Civil Practice and Remedies Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) *Subject to this section, a person entitled to compensation under Subsection (a) is also eligible to obtain group health benefit plan coverage through the Texas Department of Criminal Justice as if the person were an employee of the department. This subsection does not entitle the person's spouse or other dependent or family member to group health benefit plan coverage. Coverage may be obtained under this subsection for a period of time equal to the total period the claimant served for the crime for which the claimant was wrongfully imprisoned, including any period during which the claimant was released on parole or to mandatory supervision or required to register under Chapter 62, Code of Criminal Procedure. A person who elects to obtain coverage under this subsection shall pay a monthly contribution equal to the total amount of the monthly contributions for that coverage for an employee of the department.*

(e) *Notwithstanding Section 103.053(c), annuity payments may be reduced by an amount necessary to make the payments required by Subsection (d), and that amount shall be transferred to an appropriate account as provided by the comptroller by rule to fund that coverage.*

SECTION 3. Section 103.051, Civil Practice and Remedies Code, is amended by adding Subsection (f) to read as follows: